UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,487	10/29/2001	Shui Hung Kwok	005874.P001	6778

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EXAMINER
GARG, YOGESH C

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		10/020,487	KWOK ET AL.
		Examiner	**Art Unit**	
		Yogesh C. Garg	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 April 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 9-21* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 9-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

4/17/2006 has been entered.

Response to Amendment

2.   Applicant's amendment received on 4/17/2006 is acknowledged and entered.

Claims 1-5, 9-21 are currently amended. Claims 6-8 are previously canceled. Currently

claims 1-5, 9-21 are pending for examination.

Response to Arguments

3.1.   Applicant's arguments filed on 4/17/2006 (see remarks pages 9-13) have been

fully considered but they are not persuasive. Summarily, the applicant argues that since

his invention is directed to a different field of use, that is manipulating/accessing data

related to oil and gas industry, the prior arts of Starr, Multex, Silverman and Finsterwld

are not relevant arts because their fields of uses are different, that is

manipulating/accessing data related to financial/brokerage/trading instruments/bank. In

response to applicant's argument that the prior arts of Starr, Multex, Silverman and

Finsterwld are not relevant prior arts because their fields of uses are different, that is

related to manipulating/accessing data related to financial/brokerage/trading

instruments/bank instead of oil and gas industry, a recitation of the intended use of the

claimed invention must result in a structural difference between the claimed invention

and the prior art in order to patentably distinguish the claimed invention from the prior

art. In this case, there is no difference between the systems used by the applicant's

invention and those of the prior arts *and If the prior art structure is capable of*

performing the intended use, then it meets the claim. As analyzed and already

submitted in the Final office action mailed on 12/12/2005 , the combination of prior arts

of Starr/Multex/Silverman/Finsterwld renders obvious the claimed system in claims 1-5,

9-21 and is capable of performing the intended use of manipulating/accessing data

related to oil and gas industry. Therefore, the combination of prior arts of

Starr/Multex/Silverman/Finsterwld meets the claims 1-5 and 9-21.

3.2.   Applicant's arguments with respect to currently amended claims 1-5, 9-21, filed

on 4/17/2006 (see remarks pages 9-13) have been considered but are moot in view of

the new ground(s) of rejection, that is US Patent 6,978,381 to Te et al., hereinafter

referred to Te.

4.   Examiner cites particular columns and line numbers in the references as applied

to the claims below for the convenience of the applicant. Although the specified

citations are representative of the teachings in the art and are applied to the specific

limitations within the individual claim, other passages and figures may apply as well. It

is respectfully requested that, in preparing responses, the applicant fully consider the

references in entirety as potentially teaching all or part of the claimed invention, as well

as the context of the passage as taught by the prior art or disclosed by the examiner.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.1.   Claims 1-2, 4-5, 9-12, 14 and 19-21 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Te..

Regarding claim 1, Te discloses a method for managing digital data related to oil

and gas industry data and granting a user access to the data over a network (see at

least col.1, lines 8-15 & Figs 1A and 1B. Te's invention is directed to controlled access

via Internet to data stored in databases and this data could be of any type including oil

and gas industry data because the type of data does not warrant a different

structure/architecture other than shown in Figs 1A and 1B. In response to applicant's

argument that his invention is directed to only oil and gas industry data, a recitation of

the intended use of the claimed invention must result in a structural difference between

the claimed invention and the prior art in order to patentably distinguish the claimed

invention from the prior art. But this is not the case. Both the architecture/structure of

the applicant's invention and that of Te are same to implement the management and

controlled access of the data, irrespective of any type. Since Te's architecture/structure

as shown in Figs. 1a and 1B is capable of performing the intended use, then it meets

the applicant's claim of managing oil and gas industry data) comprising:

Providing a database within at least one server operatively connected to the

network, the database containing data from at least one customer (see at least Abstract

and Fig.1 B where "27" Databases/assets within server 22 are operatively connected to

the network, such as Internet and the database "27" can contain any data that is of a

customer related to oil and gas industry or otherwise);

providing a system administration module for granting the user access rights to a

customer's industry data, and allowing the user to access a customer's industry data

across the network upon being granted access rights by the system administration

module (see at least Fig.1B, col.8, line 31-col.9, line 42. Te discloses providing a

system administration module in the server 22 including "23"-an access control

program' "24"-an authorization program and "25"-an user access program granting

access rights based upon their different profiles and allowing them to access the stored

data in database "27". The data, as already analyzed above, could be of any type data

including customer's industry data);

wherein the system administration module provides at least three levels of

access security to a server database (see at least Fig.1 A, Figs.13-15 and col.5, line 48-

col.6, line 20. Te discloses three levels of access security in accessing data stored in databases based upon their profiles A,B and C).

Te does not disclose that the intended functions of the three different levels as recited in the claim are, a first level with the intended use of enabling public access to public industry data without system registration, a second access level with the intended use of enabling the user access to specific industry data only after system registration and a third level of access with the intended use of enabling the user to access and manipulate a customer's industry data after the customer grants access approval to the user upon completion of at least one transaction. However, Te does disclose, see col.6, lines 5-11, col.7, lines 63-67, Fig.14 and col.17, lines 1-15 that these security profiles A, B and C are not limited to any specific criteria but could be defined in a way to allow access to certain databases depending upon the architecture and requirements of the system. Therefore, in view of Te, it would be obvious to one of an ordinary skilled in the art at the time of the applicant's invention to have defined the three security profile levels in any discretionary manner suitable to his requirements including , that is a first level with the intended use of enabling public access to public industry data without system registration, a second access level with the intended use of enabling the user access to specific industry data only after system registration and a third level of access with the intended use of enabling the user to access and manipulate a customer's industry data after the customer or establishing security profiles at different levels of an operator, an Engineer and a Manager and so on suiting

to the field of use to allow controlled access to the stored data based upon their access

levels.

Regarding claim 2, Te discloses that the method as in claim 1 further comprising

an internet portal and website to manage industry data and grant user access to the

data, the website including a home page module having operative links to the database

and the system administration module (see at least Abstract, Fig.1B and col.6, lines 12-

20).

Regarding claim 4, Te teaches that the method as in claim 1 further comprising

providing a project management module operatively linked to the home page enabling

a customer to access project management software to control access by third parties

and to monitor third party access to the industry data through the system administration

module (see at least Fig.1B where Access control program "23" corresponds to the

claimed project management module operatively liked to the home page of web server

14 enabling a customer to access project management software to control access by

third parties and to monitor third party access to the industry data through the system

administration module).

Regarding claim 5, Te teaches that the method as in claim 1 wherein the network

is the Internet or an Internet or a combination thereof (see at least Abstract, " over a

network arrangement such as the Internet and including a server"   ")..

Regarding claims 9 and 11, Te discloses that the method as in claims 1 and 2

further comprising providing industry data viewing and processing software operatively

connected to the system/home page to enable a user having access rights to view or

process or analyze or interpret the industry data/specific software applications from a

remote location across the network (see at least, Fig.1B, Fig.15, col.6, lines 12-20 and

col.17, lines 16-27 show that data/software applications are available from a remote

location across the network).

Regarding claim 10, Te discloses that the method as in claim 2 wherein a third

party service or product provider web page is operatively linked to the system (see at

least Fig.1B, Fig.15, col.6, lines 12-20 and col.17, lines 16-27 show that the DB/Assets

include third party service or product provider web pages operatively linked to the

internal portal website , that is server "22").

Regarding claim 12, Te teaches that the method as in claim 2 wherein the home

page module is operatively linked to any one of or a combination of data software

modules including data management, data mapping, data processing, and data viewing

software, a virtual client room module, a project management module, a resource

module, a business floor module and third party modules including any one of or a

combination of professional services, technical services and financial services (see at

least Fig.1B, Fig.15, col.6, lines 12-20 and col.17, lines 16-27 show that the HTML page

of the web server "22" is operatively connected to clients "26, to any number of service

providers "27" . DB/Assets "27" include service providers.).

Regarding claim 14, Te discloses that the method as in claim 4 wherein the third

parties are any one or a combination of geologists, geophysicists, engineers, and

financiers (see at least Fig.1B, Fig.15, col.6, lines 12-20 and col.17, lines 16-27 show

that the HTML page of the web server "22" is operatively connected to clients "26, to

any number of service providers "27" . DB/Assets "27" includes any third party which

could be of use, that is related to specs/design/quality control database which could

represent third party engineers, any XYX company can represent a website of a

financier, geologists or geo physicists depending upon a subjective requirement).

Regarding claim 19, Te discloses that the method as in claim 1 wherein the

system administration module acts as an intermediary in a financial transaction

between a customer and user (see at least Fig.1 B wherein the system administration

module, that is Access Control Program "23" in Te acts an intermediary in any

transaction, whether it is financial or engineering or otherwise between a user "26" and

customer represented by "27" DB/Assets in enabling the user to grant a controlled

access to the customer's DB/Assets.).

Regarding claims 20-21, their limitations are already covered in claims 1-2, 4-12

and 14-19 above and are therefore analyzed and rejected on the same basis.

5.2.   Claims 3, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Te in view of the article, , " Multex Launches Research-On-Demand", Information

Today; v 15, n4, p 28, April 1998; extracted on Internet from Dialog on Internet on

8/24/2004, hereinafter referred as Multex.

Regarding claim 3, Te discloses that the method as in claim 2 further providing

a virtual client room module operatively linked to the home page enabling a customer's

industry data to be located in a specific location on the website (see at least Fig.1A and

Fig.1B which show that the web server "22" is able to display customer's industry data

from "27" DB/Assets and in doing so would use a client module ". Te does not disclose

that this data is graphically stored. However, in the field of same endeavor, Multex

teaches that customer's data, that data from service providers , such as brokerage

research reports is stored graphically. In view of Multex, it would have been obvious to

one of an ordinary skill in the art at the time of the applicant's invention to have

modified Te to incorporate the feature of storing data graphically because it would

enable the service providers in Te to store data in form of charts, graphs for

presentation to the users if required for better presentation.

Regarding claim 13, Te discloses that in method as in claim 12 the data software

modules are remote to the system and a customer or user can access a specific data

software module. Te does not disclose that the access is granted on a pay per use

basis. However, in the field of same endeavor, Multex teaches that the access is

granted to specific data software module, such as research reports for prices varying

from $4 to $ 150. In view of Multex, it would have been obvious to one of an ordinary

skill in the art at the time of the applicant's invention to have modified Te to suggest

that a user can access a specific data software module on a pay per use basis

because to complete the transaction by charging the user for the services.

Regarding claim 17, Te in view of Multex discloses that the system as in claim 3

wherein the system administration module enables multiple parties to access industry

data within a virtual client room module simultaneously (see at least Te Fig 1B. A

plurality of client systems "26" can access the web server "22" simultaneously to

access industry data). .

5.3.   Claims 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Te in view of Silverman et al. (US Patent 5,136,501), hereinafter referred to

Silverman.

Regarding claim 15, TE does not suggest that the system administration module

does not identify the identity of parties prior to the completion of a transaction.

However, in the same field of electronically providing matching transactions in order to

complete trades between bids and offers, Silverman suggests not to identify the

identity of parties prior to the completion of a transaction (see at least col.3, lines 39-

52, col.2, lines 17-63 and col.1, lines 43-47 and lines 56-59). In view of Silverman, it

would have been obvious to one of an ordinary skill in the art at the time of the

applicant's invention to have modified Te to suggest that the system module does not

identify the identity of parties prior to the completion of a transaction, because

anonymous matching systems are often desired, as explicitly disclosed in Silverman,

see col.1, lines 43-47) to hold the identity of the parties engaging into transactions till

they are completed.

Regarding claim 18, its limitations are closely parallel to the limitations of claim

15 and therefore it is analyzed and rejected on the same basis.

5.4.   Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Te in

view of Multex and further in view of Finsterwald (US Patent 6,039,244).

Regarding claim 16, Te in view of Multex discloses that the system in claim 3

allows virtual clients to be operatively connected to the home page of the system

where the customer's industry data is graphically located in specific locations on the

website. TE in view of Multex does not disclose that access to a virtual client room is

limited to a specific time by the system administration module. However, in the

analogous field of endeavor of giving a user access rights to a chat room online,

Finsterwald teaches that access to a virtual client room is limited to a specific time (see

at least col.6, lines 32-39). In view of Finsterwald, it would have been obvious to one of

an ordinary skill in the art at the time of the applicant's invention to have modified Te to

suggest that access to a virtual client room is limited to a specific time because this will

allow only those users to access the database who have paid for it for a specific period

of time as explicitly disclosed in Finsterwald and so that an overload could be avoided.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

US Patents 6,513,111 to Klimczak et al. (see at least col.4, lines 19-31),

6,785,822 to Sadhwani-Tully (see at least Abstract and col.1, line 48-col.2, line 3,

6,574,734 to Colson et al. (see at least Abstract and col.12, lines 40-55) and 6,598,161

to Kluttz et al. (see at least Abstract and col.6, lines 28-45) disclose controlled access to

data online based upon various levels of user profiles.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-

6756. The examiner can normally be reached on M-F(8:30-4:00).

The fax phone number for the organization where this application or proceeding

is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yogesh C Garg
Primary Examiner
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YCG
6/21/2006